



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William J. Lynch, Chairman
Rhode Island Democratic State Committee
249 Roosevelt Avenue, Suite 202
Pawtucket, RI 02860

MAR 4 2009

RE: MUR 5572

Dear Mr. Lynch:

The Federal Election Commission has considered the allegations contained in your complaint dated October 14, 2004, but was equally divided on whether to find probable cause to believe that Respondents violated 2 U.S.C. § 439a, a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 113.1. The Commission was also equally divided on whether to dismiss the matter on the basis of prosecutorial discretion. Accordingly, on February 10, 2009, the Commission closed the file in this matter. A Statement of Reasons providing a basis for the Commission's decision will follow.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 2 U.S.C. § 437g(a)(8). If you have any questions, please contact Phillip A. Olaya, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Shonkwiler", followed by a long horizontal line.

Mark D. Shonkwiler
Assistant General Counsel

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